

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Keller	
Application No.: 10/727,319	Art Unit: 2116
Filed: 12/3/2003	Examiner: SUGENT, JAMES F.
Title: METHOD AND SYSTEM FOR POWER MANAGEMENT INCLUDING DEVICE CONTROLLER-BASED DEVICE USE EVALUATION AND POWER-STATE CONTROL	
Attorney Docket No.: AUS920030761US1	

**RESPONSE UNDER 37 CFR 1.111**

Dear Sir:

In response to the Final Office Action of August 28, 2006, Applicants submit the following Response, and respectfully request reconsideration of the finality of the Office Action and further examination of the application.

### **RECORD OF TELEPHONIC INTERVIEW**

On September 19, 2006, Applicants' representative discussed the above-referenced Final Office Action with the Examiner. The Examiner indicated that statements of Claims being "identical" in the rejection under the judicially-created Doctrine of Obviousness-type Double Patenting were intended to assert that those Claims were obvious over the Claims cited from co-pending U.S. Patent Application. The Examiner further indicated that the rejection under 35 U.S.C. §102(b) would be withdrawn, as Faucher, et al. (U.S. 5,404,543) does not disclose both the input port and the output port recited in the independent claims for both reading and setting the state of the usage evaluator(s).